

REMARKS

This is in response to the Office Action dated November 1, 2007. For at least the reasons stated below, Applicants submit that all pending claims are patentable.

Both ¶ 81 and the Abstract have been amended to omit typographical errors.

Claims 1, 12 and 23 have been amended to further delineate the claimed invention, including that the display includes a look and feel as defined by the auctioning preferences. These amendments do not add any new matter, such as the look and feel were described in the specification as originally filed, see for example ¶0078.

Claims 13, 16, 18, 19, 21, 24, 27, 29, 30 and 32 have been amended to correct informalities, including the erroneous double recitation of claimed elements. These amendments do not add any new matter and additionally overcome the Objection to these claims, as noted on page 2 on the present Office Action.

Claims 1-7, 12 -18 and 23-29 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,637,029 (“Maissel”) in view of U.S. Published Application No. 2004/0107439 (“Hassell”) and further in view of U.S. Patent No. 6,856,967 (“Woolston”). Applicants respectfully submit that the combination of Maissel, Hassell and Woolston fails to teach or suggest all of the claimed limitations of claims 1, 12, 23, as well as the dependent claims noted above.

Maissel, as understood, describes an intelligent electronic program guide that, through various interactive programming techniques, determines user information **about viewing habits**, stored as a user profile. Maissel then uses this user viewing habit information stored in the user profile to provide improvements for the user’s viewing experience via the set top box, such as the example of providing an alert to a user about

an upcoming recommended show. The Examiner readily recognizes Maissel's shortcomings in its description relating primarily to set top box features for the electronic program guide.

To overcome Maissel's shortcomings, the Examiner assert Hassell, where Hassell, as understood, describes a further advancement of the electronic program guide, which includes the ability to use a web browser application to view "other facilities" via the web, such as the examples of banking, shopping and wagering or gaming operations. (see, e.g., ¶ 0088).

The Examiner further notes combination with Woolston, where Woolston, as understood, describes a processing system for dynamic bid/ask processing. Woolston provides this elements of a bid/ask transaction within a "predetermined taxonomoy."

By contrast, claims 1, 12 and 23 provide for a system and method whereby a client-side device receives user preferences based on auctioning preferences, displays auctioning options based on the auctioning preferences. Additionally, as amended, claims 1, 12 and 23 further recite that the display includes "a look and feel of the display being based on the auctioning preferences."

Applicants respectfully submit that the combination of Maissel, Hassell and Woolston fails to teach or suggest all of the claimed limitations, including a display that includes a look and feel based on the auctioning preferences. The Examiner asserts Hassell as describing the set top box technology including the ability for a portal or services application and Woolston describing a bid/ask auction system capable of being viewing on a set-top box embedded processing environment. Hassell does not describe user preferences relating to the look and feel, but rather describes the set top environment

making the facility display available. Similarly, Woolston is silent regarding look and feel in response to user preferences, but rather more directly describes the bid/ask auctioning system simply being viewable through a browser-type application.

Therefore, Applicants respectfully submit that even if one skilled in the art combined Maissel, Hassel and Woolston, the combination thereof fails to teach the claimed present invention because none of Maissel, Hassel and Woolston (either individually or in combination thereof) teach or suggest receiving “auctioning preferences” and providing a display that includes “a look and feel of the display being based on the auctioning preferences.” Accordingly, Applicants respectfully request reconsideration and withdrawal.

Regarding claims 2-7, 13 -18 and 24-29, the claims depend from claims 1, 12 and 23, respectively, and recite further patentable subject matter therefrom. These claims are allowable for at least the same reasons stated above regarding claims 1, 12 and 23. Accordingly, Applicants respectfully request reconsideration and withdrawal.

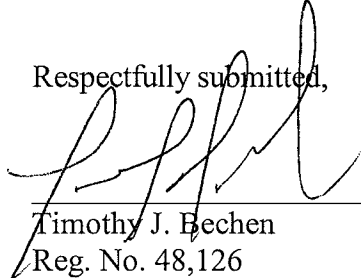
Claims 8-11, 19-22 and 30-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maissel in view of Hassell in view of Woolston in view of Official Notice. For brevity sake, Applicants note that these claims depend from claims 1, 12 and 23, respectively, and recite further patentable subject matter therefrom. These claims are allowable for at least the same reasons stated above regarding claims 1, 12 and 23. Accordingly, Applicants respectfully request reconsideration and withdrawal.

For at least all of the above reasons, Applicants respectfully request that the Examiner withdraw all rejections and objections, and allowance of all the pending claims is respectfully solicited. To expedite prosecution of this application to allowance, the examiner is invited to call the Applicants' undersigned representative to discuss any issues relating to this application.

Dated: January 30, 2008

THIS CORRESPONDENCE IS BEING
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Respectfully submitted,



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